IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

MONDAY, THE 6TH AUGUST 2007 / 15TH SRAVANA 1929

WP(C).No. 18664 of 2007(V)

PETITIONER:

J.S.NIHAR BANU, PROPRIETORIX, ALFAS TRADERS, XI/63 C, MAIN ROAD, M.PUDUR, GOVINDAPURAM, PALAKKAD DISTRICT.

BY ADV. SRI.ARIKKAT VIJAYAN MENON
SRI.HARISANKAR V. MENON
SMT.MEERA V.MENON
SRI.MAHESH V.MENON

RESPONDENTS:

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1. STATE OF KERALA, REPRESENTED BY CHIEF SECRETARY TO GOVERNMENT, KERALA GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. SUB INSPECTOR OF POLICE, ANGAMALY.

3. CIRCLE INSPECTOR OF POLICE, ANGAMALY.

BY SR.GOVT.PLEADER SRI.BENJAMIN PAUL.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX (WP(C) NO.18664 OF 2007)

PETITIONER'S EXHIBITS:

Ext.P1: Copy of Invoice No.4459 issued to Sri.Ali, Kochi.

Ext.P2: Copy of Invoice No.4460 issued to Sri.Jaffar, Kochi,

Ext.P3: Copy of the Delivery Note issued by the petitioner.

Ext.P4: Copy of the Delivery Note issued by the petitioner.

Ext.P5: Copy of the judgment in W.P(C) No.19682/05 of this Court.

-True Copy-

P.A.to Judge.

S. SIRI JAGAN, J.

WP(C) NO. 18664 OF 2007 - V

Dated this the 6th day of August, 2007

J U D G M E N T

The petitioner's lorries with sand thereon brought from Tamil Nadu were seized by the District Collector on allegation of illegal transport of river sand. The contention of the petitioner is that the Kerala River Banks and Regulations of Removal of Sand Rules, 2002 are not applicable to the consignment and therefore, the action of detention of the sand and vehicle is without jurisdiction.

2. I have heard the learned Government Pleader also.

3. By interim order dated 25.6.2007, I had directed the District Collector to release the vehicles and sand to the petitioner, on the petitioner depositing an amount of Rs.25,000/- in respect of each vehicle and furnishing a bond for the value of the sand. It is submitted that the same has been done. Now, it is for the District Collector concerned to pass appropriate

orders in the matter. The District Collector shall pass orders as expeditiously as possible, at any rate within a period of two months from the date of receipt of a copy of this judgment.

The writ petition is disposed of with the above direction.

S. SIRI JAGAN,
Judge

Mbs/

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007